

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
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**AFFIRMATION OF J. SCOTT TARBUTTON, ESQ. ATTACHING EXHIBITS IN  
SUPPORT OF PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO  
DEFENDANT DR. ABDUL RAHMAN AL SWAILEM'S  
RENEWED MOTION TO DISMISS**

J. Scott Tarbutton, Esq., affirms as follows:

1. I am an attorney admitted to practice *pro hac vice* in the above-captioned matter, and a member of the law firm Cozen O'Connor. I submit this Affirmation to transmit to the Court the following exhibits submitted in support of Plaintiffs' Memorandum of Law in Opposition to Defendant Dr. Abdul Rahman al Swailem's Renewed Motion to Dismiss.

2. Exhibit 1 to this Affirmation is a true and accurate copy of Plaintiffs' Amended RICO Statement Applicable to Saudi Red Crescent Society and Dr. Abdul Rahman al Swailem, filed on September 30, 2005, MDL Dkt. No. 772-30.

3. Exhibit 2 to this Affirmation is a true and accurate copy of Plaintiffs' RICO Statement Applicable to Saudi Joint Relief Committee for Kosovo and Chechnya, filed on September 30, 2005, MDL Dkt. No. 772-31.

4. Exhibit 3 to this Affirmation is a true and accurate copy of the United States Government's Evidentiary Proffer Supporting the Admissibility of Coconspirator Statements, *United States v. Enaam M. Arnaout*, Case No. 02-CR-892 (N.D. Ill. filed Jan. 6, 2003).

5. Exhibit 4 to this Affirmation is a true and accurate copy of an exhibit submitted by the United States in support of Government's Evidentiary Proffer Supporting the Admissibility of Coconspirator Statements, *United States v. Enaam M. Arnaout*, Case No. 02-CR-892 (N.D. Ill. filed Jan. 6, 2003).

6. Exhibit 5 to this Affirmation is a true and accurate copy of defendant Wa'el Hamza Jelaidan's curriculum vitae.

7. Exhibit 6 to this Affirmation is a true and accurate copy of the U.S. Treasury Department's September 6, 2002 press release entitled *Treasury Department Statement of the Designation of Wa'el Hamza Julaidan*.

8. Exhibit 7 to this Affirmation is a true and accurate copy of an article entitled *US Fears Terrorist Attack in Kosovo*, published by the BBC News on April 3, 2000.

9. Exhibit 8 to this Affirmation is a true and accurate copy of a July 2003 report entitled *Financing of Terrorism and Charities*, published by the Interpol Fusion Taskforce.

10. Exhibit 9 to this Affirmation is a true and accurate copy of a report entitled *Second Report of the Monitoring Group on Al-Qaida*, published on December 2, 2003 by the United Nations Security Council Committee established pursuant to Resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

11. Exhibit 10 to this Affirmation is a true and accurate copy of the Plaintiffs' Executive Committees' July 8, 2009 letter submission to the Honorable George B. Daniels.

12. Exhibit 11 to this Affirmation is a true and accurate copy of the Defendants' Executive Committee's July 8, 2009 letter submission to the Honorable George B. Daniels.

13. Exhibit 12 to this Affirmation is a true and accurate copy of the June 4, 2010 letter submitted to the Honorable George B. Daniels by counsel for defendant Dr. Abdul Rahman al Swailem.

14. Exhibit 13 to this Affirmation is a true and accurate copy of the June 16, 2010 letter submitted to the Honorable George B. Daniels by counsel for defendant Dr. Abdul Rahman al Swailem.

15. Exhibit 14 to this Affirmation is a true and accurate copy of the July 12, 2013 letter jointly submitted to the Honorable Frank Maas by the Plaintiffs' Executive Committees and counsel for defendant Dr. Abdul Rahman al Swailem.

16. Exhibit 15 to this Affirmation is a true and accurate copy of Sovereign Immunity Decisions of the Department of State, May 1952 to January 1977 (Michael Sandler, Detlev F. Vagts, & Bruno A. Ristau eds.), in the Digest of U.S. Practice in Int'l Law (1977).

Affirmed in Philadelphia, Pennsylvania on October 9, 2013.

/s/  
J. Scott Tarbutton, Esquire

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